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**Amendments to the Drawings**

The replacement sheets of drawings attached hereto as **Exhibit A** include changes to, and replace, Figures 3-5 of the original sheets of drawings. Figures 3-5 are now labeled as prior art.

Attachment: replacement sheets of drawings for Figures 3-5

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REMARKS

The application has been reviewed in light of the Office Action dated May 1, 2007. Claims 1-8 are pending. The Office Action indicates that claim 51 is allowed. By this Amendment, claims 1-3 have been amended to correct informalities therein and/or clarify the claimed subject matter thereof, and new claim 9 has been added. Accordingly, claims 1-9 are now pending, with claim 1 being in independent form.

The drawings were objected to as having informalities.

The replacement sheets of drawings attached hereto as **Exhibit A** include changes to, and replace, Figures 3-5 of the original sheets of drawings. Figures 3-5 are now labeled as prior art.

Withdrawal of the objection to the drawings is respectfully requested.

Claims 1 and 3 were objected to under 37 C.F.R. §1.75(a).

In response, claims 1-3 have been amended to correct informalities therein.

Withdrawal of the objection to the claims is respectfully requested.

Claims 1-3 and 6 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over the Related Art section in the application in view of U.S. Patent No. 6,711,245 to Mardinian et al. Claims 4, 5, 7 and 8 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over the Related Art section in the application in view of Mardinian and further in view of U.S. Patent No. 5,502,752 to Averbuch et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claim 1 is patentable over the cited art, for at least the following reasons.

This application relates to a modem apparatus for facsimile communications through telephone and ISDN (integrated services digital network) lines and which employs a silicon data

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access arrangement (DAA) circuit capable of monitoring facsimile communications executed through the ISDN. Such modem apparatuses often have a configuration including a speaker that generates a sound that enables communications by the apparatus through a telephone line to be aurally monitored. Some modem apparatuses employ a silicon DAA having an insulation device that insulates a portion of the apparatus from the telephone line. However, conventional modem apparatuses employing such a silicon DAA (that is, having an insulation device), such as shown in Fig. 5 of this application, do not have provision for sending a communications signal to a system side device connecting to a speaker.

Fig. 4 of this application, which was cited the Office Action, shows an example of a conventional configuration of a connection between an ISDN line and a facsimile apparatus provided with G3 functions (for communication over a telephone line) and G4 functions (for communications over an ISDN), and includes a speaker that enables communications over the ISDN line to be monitored as well. However, the apparatus of Fig. 4 of this application does *not* have an insulation device for insulating the remainder of the apparatus from an analog telephone line.

Mardinian, as understood by Applicant, proposes an approach for providing a serial-based analog modem to play its connection call progress in a digital format. Data received by a serial communication device from a serial communication network is analyzed to identify the data as call progress audio samples. The call progress audio samples are transmitted to the host through the serial interface which carries serial data or call progress audio samples. The call progress audio samples are played on the audio system of the host.

Figure 4 of Mardinian (which was cited in the Office Action) shows a system 400 which includes a host 401 and a modem 402, wherein the modem 402 is coupled to the host through a

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serial interface 403, and includes a modem control logic 408 and other typical modem components such as analog to digital (A/D) converter 409 and data access arrangement (DAA) 410.

However, Mardinian does not teach or suggest a facsimile use modem apparatus comprising both (I) an analog interface formed from a silicon data access arrangement operative to interface with an analog telephone line, and including an insulation device configured to insulate a remainder of said facsimile use modem apparatus from said analog telephone line, and (II) a monitoring device configured to monitor a progress of the facsimile communications via the ISDN line, said monitoring device being connected to the silicon data access arrangement, as provided by the subject matter of claim 1 of the present application.

Averbuch, as understood by Applicant, proposes an apparatus for clock rate matching in independent networks wherein the apparatus accepts data from a modem (126) into a buffer (400) and determines the difference between the rate of the data entering the buffer (400) at the modem clock rate to the rate of data exiting the buffer (400) at the clock rate used by the apparatus. Depending on the rate difference, the apparatus either speeds up or slows down the data rate accordingly.

While Averbuch appears to be concerned with matching the modem clock rate with the clock rate used by the apparatus, Averbuch does not express a concern regarding monitoring facsimile communications aurally through a speaker.

Applicant simply does not find teaching or suggestion in the cited art of a facsimile use modem apparatus comprising both (I) an analog interface formed from a silicon data access arrangement operative to interface with an analog telephone line, and including an insulation device configured to insulate a remainder of said facsimile use modem apparatus from said

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analog telephone line, and (II) a monitoring device configured to monitor a progress of the facsimile communications via the ISDN line, said monitoring device being connected to the silicon data access arrangement, as provided by the subject matter of claim 1 of the present application.


Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claim 1 and the claims depending therefrom are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

  
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# **EXHIBIT A**

TO  
**AMENDMENT**  
(Serial No. 10/763,707)